

Administrative Support Order: Foster Care**Foster Care Recovery Unit**

Iowa Department of Human Services

Docket No. _____

CSC No. _____

This matter is before the Foster Care Recovery Unit (referred to as the "Unit"), for the creation of a support debt, according to Iowa Code chapter 252C. The Unit FINDS:

1. The Court has jurisdiction over the subject matter, and Iowa is the proper state in which to enter an order for support, according to 28 USC 1738B, and chapter 252E, and if applicable, 252K.
2. The Court has personal jurisdiction over the Respondent.¹
3. Entry of this support order in Iowa does not violate 28 USC section 1738B or Iowa Code chapter 252K.²
4. The Iowa Department of Human Services ☐ is ☐ was the caretaker, and the Respondent is the ☐ Mother ☐ Father of the minor child(ren).

THEREFORE, the Unit, according to Iowa Code chapter 252C, CONCLUDES AND ORDERS:

1. The Respondent, _____, owes a duty of support and is able to pay reasonable support for the child(ren) whose name(s) and date(s) of birth are as follows:

2. ☐ Current support is reserved because the child(ren) is/are

☐ not in placement at this time.

☐ placed in a Psychiatric Mental Institution for Children.

☐ Respondent shall pay current support of \$_____ per _____ starting on the _____ day of _____, _____, and continuing on the _____ of each _____.

☐ Respondent shall owe current support of \$_____ per month. Since the child(ren) receive Social Security Disability (SSD) benefits because of the Respondent's disability, the benefit amount of \$_____ per month was added to the Respondent's net income. Also the current child amount of \$_____ per month is satisfied in the amount of \$_____ per month and the Respondent shall pay the balance of \$_____ per month starting on the _____ day of _____, _____, and continuing on the _____ day of each month.

The current child support amount

☐ deviates from the child support guidelines in accordance with the authorized foster care deviations.

☐ is in accordance with the child support guidelines.

☐ The ongoing support obligation for the child(ren) named shall be adjusted without further order, to correspond to the number of children entitled to current support as this number changes. This obligation amount is:

Number of Children Entitled to Support	Amount	<input type="checkbox"/> SSD Satisfaction Amount	<input type="checkbox"/> Amount Due After SSD Satisfaction
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

☐ Even though the SSD amounts may change, the amount due after SSD satisfaction, as stated in this order, remains in effect until this order is modified.

Support for each child continues as long as the child remains in foster care and the Department of Human Services is incurring expenses for the child in a foster care placement, or until the child reaches the age of eighteen (18) years or becomes emancipated. If the child remains in foster care placement, and is engaged full-time in completing high school graduation or equivalency requirements, and is reasonably expected to complete these requirements before age nineteen (19), support continues until high school graduation or equivalency requirements are met.

3. ☐ Accrued support is reserved because the ☐ child(ren) is/are

☐ not in placement at this time.

☐ placed in a Psychiatric Mental Institution for Children.

☐ Judgment is entered against the Respondent for accrued support in the amount of \$ _____ which shall be paid in installments of \$ _____ per _____ beginning on the _____ of _____, _____, and continuing on the _____ of each _____ until the entire sum is paid. The accrued support

☐ deviates from the child support guidelines in accordance with the authorized foster care deviations.

☐ is in accordance with the child support guidelines.

4. ☐ Medical support is reserved because the child(ren) is/are not in placement at the time.

☐ The Respondent shall provide medical support and take all necessary actions to ensure coverage of the dependents according to chapter 252E. The Respondent shall obtain an employment-related or group health benefit plan for the dependents. However, should such insurance not be or become available, the Unit reserves the right to request that other provisions be made according to chapter 252E at a later date without showing a change in circumstances.

5. The Unit or any caretaker can seek current, accrued, and/or medical support by any legal method without showing a substantial change in circumstances.

6. The uncovered medical expenses provisions of the Iowa guidelines do not apply under this order.

7. If support payments are ordered, all payments ordered shall be payable to the COLLECTION SERVICES CENTER, P.O. BOX 9125, DES MOINES, IOWA 50306-9125, AND IN NO OTHER MANNER. Each payment must identify the Respondent, obligee/caretaker, and the following CSC number: # _____. Any payment sent directly to the above named caretaker or the child(ren) by the Respondent is considered a gift and not credited to the support ordered.

8. The Respondent shall pay the cost of this action, and is bound by the Notices that are incorporated below.

9. The Respondent must attend a parenting class approved by the Department of Human Services. The Respondent must provide proof of attendance to the Unit within 90 days after this order is entered. Failure to provide proof of attendance may result in modification of the support amount. At the Unit's request, the Respondent must also provide proof of ongoing compliance with this requirement.

Foster Care Recovery Unit

Designee of the Administrator

Date

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NOTICES

1. ☐ The income of the Respondent is subject to immediate income withholding, according to section 252D.8(1). Until the income provider withholds the required amount of support, it is the Respondent's responsibility to ensure payment is made to the Collection Services Center.
- ☐ The Unit and the Respondent in this matter have entered into a written agreement. The Respondent shall complete an application for automatic withdrawal from a bank account within fourteen calendar days after the entry of this order and shall ensure that the automatic withdrawal is sufficient to make the support payments set by this order. If the Respondent fails to comply with the terms of this agreement, the Unit reserves the right to enter an ex parte order for immediate income withholding or pursue other enforcement actions.
- ☐ Immediate income withholding is not ordered at this time because _____.

2. The installment payment method does not prevent the Unit from collecting the accrued support and/or any delinquent support by any means provided by law, including, but not limited to, an interception of income tax refunds, attachment of liens, income withholding, and levy of accounts at financial institutions. When payments become delinquent in an amount equal to the payment for one month, according to chapter 252D, the Court or the Unit may order the withholding for payment of support set at an amount in accordance with 441 IAC chapter 98, division II, or according to chapter 252I, the Unit may execute an administrative levy on the Respondent's financial institutions.
3. According to section 598.22B, the Respondent, obligee, and any necessary third party shall provide the Unit with written information about the person's identity, social security number, residential and mailing addresses, telephone number, driver's license number, and the name, address, and telephone number of the party's current employer or other source of income and keep the Unit informed of any changes. If a later child support action is started and a diligent but unsuccessful effort is made to locate the party, due process requirements may be met by delivering a written notice to the most recent residential or employer address on file with the Unit.
4. According to section 252B.23, if support in arrears is referred to a collection entity, a surcharge may be assessed to the Respondent, and information may be provided to a collection entity for purposes of administering and enforcing the surcharge. The amount of the surcharge is a percentage of the amount in arrears.

- ¹ ☐ Notice of this child support action was personally served on the Respondent in Iowa and fulfilled all requirements of 252C.3.
- ☐ The Respondent submitted to Iowa jurisdiction by consent, or by providing the Unit with a document that has the effect of waiving any contest to personal jurisdiction. Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252C.3.
- ☐ The Respondent lived in Iowa with the child(ren) from approximately _____ through _____. Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252C.3.
- ☐ The Respondent lived in Iowa from approximately _____ through _____, and provided prenatal expenses or support for the child(ren). Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252C.3.
- ☐ The Respondent caused the child(ren) to live in Iowa through the following actions: _____. Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252C.3.
- ☐ The Respondent had sexual intercourse in Iowa with the other parent which may have resulted in the conception of the following child(ren): _____.

<i>Child</i>	<i>Time Period of Possible Conception</i>		
		through	
		through	
		through	
		through	
		through	

- Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252C.3.
- ☐ The Respondent claimed to be the other parent either through the declaration of paternity registry maintained by the Iowa Department of Public Health according to section 144.12A, or by completing a paternity affidavit according to section 252A.3A. Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252C.3.
- ☐ The Respondent had enough minimum contacts with the State of Iowa because: _____.

Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252C.3.

The Respondent

- ☐ appeared not.
- ☐ contacted CSRU by telephone.
- ☐ provided financial information.
- ☐ appeared pro se.
- ☐ appeared by attorney, _____.

²☐ A separate action for dissolution of marriage or child support involving the Respondent and the same child(ren) has begun and the action is pending under Docket # _____ in the State of _____, _____ County. The Court may continue, however, because this action complies with 28 USC section 1738B or chapter 252K. ☐ The Court is unaware of any separate action for dissolution of marriage or child support involving the Respondent and these same child(ren), which may have started or is pending in Iowa or another state.

☐ The Court knows of the following support order(s) involving the Respondent as obligor and the named child(ren):

<u>State</u>	<u>County</u>	<u>Docket Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

28 USC section 1738B and Iowa Code 252K prohibit the entry of a new support order that would run during the same time period as an existing order for support from another state.

- ☐ However, no individual contestant to the orders or the child(ren) currently live in any of the states that issued a support order. When this happens, a tribunal with jurisdiction must enter a new support order according to section 252K.207.
- ☐ However, any order listed above is for current support which has been either suspended or terminated, and/or is for past support for a different time period than the support obligation established in this action. There may be arrears under the existing orders listed above, but they are not at issue in this action.
- ☐ Neither the Respondent nor the caretaker has disclosed, and the Court and the Unit are unaware of, any existing child support orders involving the Respondent as obligor and the named child(ren).